

**County of San Bernardino  
Department of Behavioral Health**

**Reporting Suspected Dependent Adult/Elder Abuse and  
Neglect Policy**

**Effective Date**  
**Revision Date**

7/91  
1/29/07

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Allan Rawland, Director

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**Policy**

It is the policy of the Department of Behavioral Health that all elder or dependent adult care custodians, medical practitioners, and non-medical practitioners who treat elders or dependent adults for any condition, must report elder or dependent adult abuse discovered when acting in their professional capacities or within the scope of their employment.

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**Purpose**

To define the responsibility of all mandated reporters who are employed or contracted by the Department of Behavioral Health regarding the reporting of Elder and Dependent abuse.

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**Mandated  
Reporters**

Persons who are mandated to report Elder and Dependent abuse include:

- Physicians
  - Psychiatrists
  - Social workers
  - Psychologists
  - Nurses
  - Community Mental Health Technicians
  - Marriage/Family/Child Counselors
  - Unlicensed Interns
  - Administrators
  - Employees of community care facilities licensed to care for elders, and dependent adults
  - All other staff assigned to evaluate and treat elder patients of the Department of Mental Health
  - Short-Doyle contract agencies
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**Clerical and  
Other Non-  
Treatment Staff**

Clerical and other non-treatment staff should consult with mandated reporters upon suspecting elder abuse. They are not, however, required to report.

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# County of San Bernardino

## Department of Behavioral Health

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### Reporting Responsibilities

- When two or more persons, who are required to report, are present and jointly have knowledge of a suspected instance of elder abuse, or abuse of a dependent adult; and when there is agreement among them, the telephone report may be made by the member of the team selected by mutual agreement. A single report shall be made and signed by the selected member of the reporting team
  - Any member who has knowledge that the member designated to report has failed to do so, shall thereafter make such a report
  - The reporting duties are individual. No supervisor or administrator may impede or inhibit such reporting duties, and no person making such reports shall be subject to any sanction for making such a report
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### Circumstances Under Which Reporting is Mandated

A mandated reporter must report an instance of elder or dependent adult abuse when he/she:

- has observed an incident that reasonably appears to be physical abuse, neglect, financial abuse, abandonment, abduction, isolation, and self-neglect, or other treatment with resulting physical harm or pain, or mental suffering
- has observed a physical injury where the nature of the injury, its location on the body, or the repetition of the injury, clearly indicates that physical abuse has occurred
- is told by an elder or dependent adult that he or she has experienced physical abuse

Physical abuse includes, but is not limited to, direct beatings, sexual assault, unreasonable physical constraint, or prolonged deprivation of food or water.

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### Reference

Welfare and Institution Code (WIC) 15630, (WIC) 15610.07

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### Definitions

The table below provides definitions related to dependent adult/elder abuse:

# County of San Bernardino

## Department of Behavioral Health

Terms	Definitions
Elder	A person sixty-five (65) years of age or older.
Dependent Adult	A person between the ages of 18 and 64 who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her rights. This includes, but is not limited to, persons whose physical or mental abilities have diminished because of age.
Abuse	The infliction of injury, intimidation, cruel punishment, or other treatment with resulting physical harm or pain or mental suffering, or the deprivation by a caregiver of goods or services which are necessary to avoid physical harm or mental suffering.
Neglect	The failure of any person having the care or custody of an elder or dependent adult to exercise that degree of care which a reasonable person in a like position would exercise. Neglect includes denial of food, clothing, shelter, health care, or the inability to provide basic needs.
Financial abuse	This includes theft, misuse of funds or property, extortion, duress and fraud.
Abandonment	The desertion or willful forsaking of an elder or dependent adult by anyone having care or custody of that person under circumstances in which a reasonable person would continue to provide care and custody,
Abduction	The removal from this State or the restraint from returning to this State, of any elder or dependent adult who does not have the capacity to give consent, as well as removal from this State or the restraint from returning to this State, of any conservatee without the consent of the conservator or the court.
Isolation	Acts intentionally committed to prevent an elder or dependent adult from receiving mail or telephone calls and from having contact with family, friends, or concerned people, against the expressed wishes of the elder or dependent adult, whether he or she is competent or not; false imprisonment as defined in Section 236 of the Penal Code; physical restraint of an elder or dependent adult for the purpose of preventing the elder or dependent adult from meeting with visitors.
Self-neglect	The negligent failure of the person to exercise that degree of care that a reasonable person in a like position would exercise.